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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/926,822	12/26/2001	Yoon Yong Ko	011753	8014

23850 7590 03/07/2005

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WASHINGTON, DC 20006

EXAMINER

RIVERO, MINERVA

ART UNIT	PAPER NUMBER
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2655

DATE MAILED: 03/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/926,822

**Applicant(s)**

KO ET AL.

**Examiner**

Minerva Rivero

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☒ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 12/26/01.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-4 are rejected under 35 U.S.C. 102(e) as being anticipated by Brown *et al.* (US Patent 6,206,700).

3. Regarding claims 1 and 3, Brown *et al.* disclose a foreign language training system and method comprising

a storage portion storing a plurality of language lesson multimedia files and a program used for executing the multimedia files (*audio-visual presentations may be pre-stored*, Col. 8, Lines 53-58);

a checking means for checking executing time of the multimedia files (*default or customized settings for presentation*, Col. 9, Lines 6-12; *monitoring user's reaction time*

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*to presented task (multimedia file) and consequently changing the amount of time for each task*, Col. 9, Lines 22-37);

a control portion that, depending on input control signals, selects a first file among a plurality of files stored in the storage portion, executes the first file using the program stored in the storage portion, executes a second file that is different from the first file after a time passes in accordance with the first file executing time checked by the checking means (see *Self-Adjusting for Subsequent Lesson*, Fig. 2; *monitoring user's reaction time to presented task (multimedia file) and consequently changing the amount of time for each task*, Col. 9, Lines 22-37; ordered or random presentation of stimuli for each lesson can occur, Col. 9, Lines 6-13);

a multimedia output portion outputting the executed multimedia files depending on an output control signal applied from the control portion (Fig. 22; Figs. 21A and 21B) and

an input portion inputting the input control signals to the control portion (see *Input from Stimuli Editor*, Fig. 2; *user input and programming of data*, Col. 6, Lines 61-64).

4. Regarding claim 2, Brown *et al.* disclose the multimedia files are voice files composed in a native language or motion picture files including the voice files (Fig. 6A; Figs. 14A and 14B; *utterances*, Figs. 21A and 21B; Col. 3, Lines 17-20).

5. Regarding claim 4, Brown *et al.* disclose executing a file is randomly selected among the plurality of multimedia files without repetition until all the files are executed

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(*random presentation for each lesson can occur*, Col. 9, Lines 6-13; see *Lesson Packages*, Fig. 2).

### ***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Adams, Jr. *et al.* (US Patent 6,017,219) disclose a system and method for interactive teaching of a language.

Sameth *et al.* (US Patent 5,697,789) disclose a method of teaching a foreign language through the timed presentation of multimedia files.

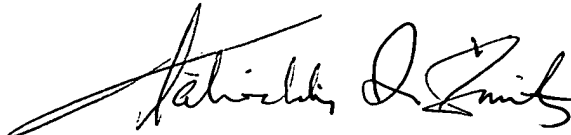
7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Minerva Rivero whose telephone number is (703) 605-4377. The examiner can normally be reached on Monday-Friday 9:00 am - 6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Talivaldis Ivars Smits can be reached on (703) 305-9508. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MR 3/2/2005



TĀLIVALDIS IVARS ŠMITS  
PRIMARY EXAMINER